

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NEBRASKA INVESTMENT
FINANCE AUTHORITY,

Plaintiff,

vs.

BAYERISCHE LANDESBANK
GIROZENTRALE,

Defendant.

4:15-CV-3105

ORDER

This matter is before the Court on the Defendant's Motion for Enlargement of Time to Respond to Plaintiff's Motion to Enjoin (filing 20). That motion will be granted in part and in part denied.

There are two other pending motions in this case: the plaintiff's motion to enjoin the defendant from proceeding with a parallel action (filing 11), and the defendant's motion to dismiss for lack of personal jurisdiction (filing 18). The defendant asks the Court to extend the deadline for it to respond to the plaintiff's motion to enjoin until 14 days after the Court disposes of its motion to dismiss.

The sole articulated basis for extending the defendant's response deadline is that the motion to enjoin will be moot if the Court determines that it lacks jurisdiction. Filing 20 at 2. Perhaps so, but that is not, in the Court's view, a sufficient basis for excusing the defendant from responding at all. The substance of the plaintiff's motion to enjoin and the defendant's motion to dismiss appear to the Court, at first blush, to be potentially intertwined, and the Court would prefer that both motions be fully briefed so that any relationship between them can be fully understood.

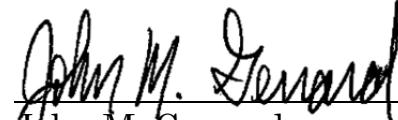
That said, it is appropriate for the Court to resolve any jurisdictional questions before considering whether an injunction is warranted. The Court will, therefore, grant the defendant's motion in part, and afford it additional time to respond to the plaintiff's motion to enjoin in order to synchronize the briefing schedules on the motion to enjoin and motion to dismiss.

IT IS ORDERED:

1. The Defendant's Motion for Enlargement of Time to Respond to Plaintiff's Motion to Enjoin (filing 20) is granted in part, and in part denied.
2. The defendant's response to the plaintiff's motion to enjoin (filing 11) shall be filed on or before November 16, 2015.
3. The plaintiff may respond in support of its motion to enjoin (filing 11) on or before November 27, 2015.
4. The plaintiff's response to the defendant's motion to dismiss (filing 18) shall be filed on or before November 16, 2015.
5. The defendant may respond in support of its motion to dismiss (filing 18) on or before November 27, 2015.

Dated this 23rd day of October, 2015.

BY THE COURT:



John M. Gerrard
United States District Judge